

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

February 3, 2000 LB 729

CLERK: Madam President, LB 729 was on Select File last year. When presented to the Legislature, the Enrollment and Review amendments were adopted on May 12. On that same date there was a motion made by Senator Schimek, or a unanimous consent request to bracket the bill until January 15. I do have amendments pending.

SENATOR CROSBY: Senator Schimek, I'll give you a couple minutes to bring us up-to-date on the bill.

SENATOR SCHIMEK: Thank you, Madam President, members of the body. Thank you. The Clerk has just outlined for you that this bill was on Select File last year, and it was bracketed to a date certain. The bill concerns initiative and petition process. And the intent behind the bill is to try to find a mechanism for allowing a challenge of the legal sufficiency of a petition in time before a ballot issue actually comes to a vote of the people. We do know that in recent years the amounts of money that are spent by proponents and opponents of petitions has been escalating dramatically. I believe, in 1996, it was something around \$2.3 million, I don't have the figures right at hand, but something like that, and in 19...that was maybe '94 or '96, when we had the...the big amendments on the ballot, the big 411 and 413, some of those issues have generated about \$13 million in expenditures totally. So we're talking about a lot of money here. And it would be helpful to proponents and opponents to know, up front, about the legal sufficiency of some of these petitions. In addition to that, no matter where I go, and whenever I talk to people about the petition process, they really can't understand why they vote on an issue and vote for it and then the courts declare it unconstitutional. This is perplexing, they don't understand why we can't fix the system so that it works better, so that they know that the issues that they deal with on the ballot are acceptable to the courts. So that's a little bit of background on the bill, Madam President. And that's what leads us to today.

SENATOR CROSBY: Thank you, Senator Schimek. Mr. Clerk.

CLERK: Madam President, last year, when the Legislature agreed to the unanimous consent request, there was a motion pending by Senator Redfield to bracket the...to bracket LB 729, no date